

LYLE S. HOSODA & ASSOCIATES, LLC

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Attorneys for Defendants
MARK DILLON, TERESA NOA, MELVIN PONCE,
SONIA PURDY, JUSTIN FUKUMOTO,
ALFREDDA WAIOLAMA, and JACQUELINE RIO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen,	)	CIVIL NO. CV03-00385 SOM-LEK
	)	(Copyright)
Plaintiff,)	
	)	DEFENDANTS MARK DILLON, TERESA
v.	)	NOA, MELVIN PONCE, SONIA
	)	PURDY, JUSTIN FUKUMOTO,
HAWAIIAN EXPRESS SERVICE,	)	ALFREDDA WAIOLAMA, AND
INC., a California	)	JACQUELINE RIO'S PROPOSED VOIR
corporation;	)	DIRE QUESTIONS
)	
)	
Defendants.)	
	)	TRIAL: January 24, 2006
	)	JUDGE: Hon. Susan Oki
	)	Mollway
)	
)	
)	

**DEFENDANTS MARK DILLON, TERESA NOA, MELVIN PONCE, SONIA PURDY,
JUSTIN FUKUMOTO, ALFREDDA WAIOLAMA, AND JACQUELINE RIO'S
PROPOSED VOIR DIRE QUESTIONS**

Defendants Mark Dillon, Teresa Noa, Melvin Ponce, Sonia
Purdy, Justin Fukumoto, Alfreda Waiolama, and Jacqueline Rio,
("Employees") by and through their attorneys, Lyle S. Hosoda &

Associates, LLC, hereby submit their Proposed Voir Dire Questions pursuant to the May 22, 2005 Amended Scheduling Order, and as further amended by the Minute Order dated September 22, 2005, as follows:

1. Do you have any experience with entering data into computers?
2. Do you believe that employees should be held personally liable for their actions performed within the course and scope of their employment?
3. Do you believe that employees who follow the instructions of their superiors should be personally liable for their actions performed within the course and scope of their employment?
4. Do you believe that employees who use computers in their daily work should be held personally liable for their actions performed within the course and scope of their employment?
5. Do you have any experience working with the computer software known as Microsoft Excel?
6. Do you have any experience working with the computer software known as Crystal Reports?
7. Do you have any education, training, or experience in computers?

8. Do you have any education, training, or experience in accounting?
9. Do you have any education, training, or experience in reading financial statements?
10. Do you have any education, training, or experience in intellectual property rights?
11. Do you have any education, training, or experience with copyrights?
12. Do you have any education, training, or experience in writing or designing computer software?
13. Have you ever been involved in a lawsuit before?
14. Do you have any experience where you know anyone who has been involved in a dispute over rights to computer software?
15. Is there anything in your background or experience that would cause you to automatically find in favor of a corporation over an individual, or vice versa?
16. Can you be fair to a mainland company that is doing business in Hawaii against a Hawaii resident plaintiff?

17. Will you promise not to hold the fact that the defendants outnumber the plaintiff against the defendants?
18. Have you ever worked for a national company that does business here in Hawaii?
19. Do you have any background or experience in food and product distribution companies?

Dated: Honolulu, Hawaii, January 10, 2006.

/s/ Lyle S. Hosoda
LYLE S. HOSODA
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MARK DILLON, TERESA NOA, MELVIN
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JACQUELINE RIO